

Ministre des
Relations Couronne-Autochtones



Minister of
Crown-Indigenous Relations

Ottawa, Canada K1A 0H4

I, Minister of Crown-Indigenous Relations, HEREBY APPROVE, pursuant to section 83 of the *Indian Act*, the following by-law made by the Birch Narrows Dene Nation, in the Province of Saskatchewan, at a meeting held on the 5th day of July 2021.

- **Birch Narrows Dene Nation
Membership Trust Revenue Account By-Law**

Dated at Ottawa, Ontario, this 28th day of September 2021.

A handwritten signature in blue ink that reads "Carolyn Bennett".

Hon. Carolyn Bennett, M.D., P.C., M.P.

Canada



**BIRCH NARROWS DENE NATION MEMBERSHIP
TRUST REVENUE ACCOUNT BY-LAW**

WHEREAS:

- A. Pursuant to section 83 of the *Indian Act*, R.S.C. 1985, c. I-5, the Chief and Council of the Birch Narrows Dene First Nation (the "First Nation") may, subject to the approval of the Minister of Indian Affairs and Northern Development Canada, enact by-laws for the expenditure of moneys of the First Nation and matters arising out of or ancillary thereto.
- B. The First Nation entered into an agreement (the "Trust Agreement") establishing the Birch Narrows Dene Membership Trust (the "Trust") effective the 7th day of June, 2021 between the First Nation, as Settlor, and FNB Trust and the Original Trustees (the "Trustees").
- C. Pursuant to the terms of the Trust Agreement, the First Nation has established the Trust Revenue Account to receive the Annual Revenue.
- D. Pursuant to the terms of the Trust Agreement, the Annual Revenue shall be deposited by the Trustees into the Trust Revenue Account within sixty (60) days of the end of each Fiscal Year (each Fiscal Year being the period of January 1st to December 31st inclusive) and the Trustees shall advise the Council of the amount of Annual Revenue.
- E. The Council of the First Nation wishes to enact the following by-law to govern the use, expenditure and accounting of Annual Revenue paid to the Trust Revenue Account.

SHORT TITLE

- 1. This by-law shall be known as the Birch Narrows Dene Nation Membership Trust Revenue Account By-Law.

DISBURSEMENT OF ANNUAL REVENUE

- 2. The Annual Revenue shall be expended in accordance with Schedule "A".

ADMINISTRATION AND ENFORCEMENT

- 3. The Council shall ensure that any person responsible for the receipt and administration of the Annual Revenue adheres to the provisions of this By-Law.

FINANCIAL REPORTING

- 4. Within 120 days of the end of each Fiscal Year, the First Nation's auditors shall provide the Trustees with the First Nation's audited financial statements, which shall also be made available to the Members of the First Nation, accounting for the use and expenditure of the Annual Revenue for the Fiscal Year.

AMENDMENT

- 5. Prior to amending By-Law, the Council shall hold three community information meetings with the members of the First Nation to discuss the proposed amendments.

GENERAL

- 6. (a) Headings form no part of this By-Law but shall be construed as being inserted for convenience of reference only.
- (b) A finding by a court of competent jurisdiction that a section or provision of this By-Law is void or invalid shall not affect or bear upon the validity or invalidity of any other section or part of this By-Law or this By-Law as a whole.
- (c) In this By-Law, words in the singular include the plural, and words in the plural include the singular.
- (d) Any of the terms not defined in this By-Law shall have the same meaning as set out in the Trust Agreement.

THIS BYLAW IS HEREBY PASSED by Council of the Birch Narrows Dene Nation at a duly convened meeting held on the 05 day of July, 2021 at Birch Narrows Dene Nation in the Province of Saskatchewan.

Quorum 3

Brenda Chastice
Witness


Chief Jonathan Sylvestre

Brenda Chastice
Witness

Kim Sylvestre
Councillor Kim Sylvestre

Brenda Chastice
Witness

Jonathan Sylvestre
Councillor Jonathan Sylvestre

Brenda Chastice
Witness

Ann Sylvestre
Councillor Ann Sylvestre

Brenda Chastice
Witness

Dorothy Sylvestre
Councillor Dorothy Sylvestre

Schedule "A"
Guidelines for Permitted and Prohibited Expenditures

A. PERMITTED EXPENDITURES

Examples

<p>Capital and Operational Costs for Construction of Public Facilities</p>	<ul style="list-style-type: none"> • Construction of new facilities or enlargements to public buildings including buildings for health, recreation, education, social, cultural or administrative purposes • Leasehold improvements and repairs or re-modeling work to public buildings • Operating and maintenance costs of public buildings • Recreational areas and parks • Schools and other educational facilities • Construction or purchase of existing public housing or community-owned residential buildings to be operated on a not for profit basis • Purchase of land for public housing or infrastructure • Communication networks • Road maintenance
<p>Community Leadership, Managerial and Administrative Services for Beneficiaries</p>	<ul style="list-style-type: none"> • Operations and maintenance of administrative offices • Funding for non-executive management and administrative positions including employment remuneration and benefits • Professional services (consulting, legal, audit) • Leadership training
<p>Education</p>	<ul style="list-style-type: none"> • Head Start and K-12 school programs • Youth programs • Work experience programs • Traditional lifestyle programming • Support, operation and management of schools or specialized education or

	<p>research institutions</p> <ul style="list-style-type: none"> • Educational grants, bursaries or scholarships • Adult education and e-learning • Trades and apprenticeship training • Educational tours or travel • Internet access (Supernet)
Health and Public Safety	<ul style="list-style-type: none"> • Health care programs including operation and management of clinics, public health monitoring or study, public health emergency planning • Health related transportation • Supports for persons in distress or victims of abuse • Funding for positions required to deliver health, educational and social programs • Specialized programs for Elders, women, youth or cultural or social development • Community healing • Community Safe Home Plan • Community policing • Emergency Response Committee and programs
Environmental Protection and Enhancement	<ul style="list-style-type: none"> • Costs associated with managing industry and government consultation-related obligations and functions • Environmental clean-up of the Community
Culture, Sports and Recreation	<ul style="list-style-type: none"> • Operations and management of parks, access trails, sports facilities, entertainment or arts facilities, libraries, specialized training facilities or other community facilities • Sports leagues and associations • Funding for non-executive positions, programs and activities required to deliver education, health, culture, sports or recreational programs • Internet access (Supernet) • Retention and intergenerational transmission of traditional knowledge
Business Development, Training and	<ul style="list-style-type: none"> • Job referral and hiring center

Employment	<ul style="list-style-type: none"> • Computer training and access center
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2. PROHIBITED EXPENDITURES

Financing Private Business and Private Housing Projects	<ul style="list-style-type: none"> • Financing through grants, equity or loans any costs relating to businesses or, residential properties including, the acquisition, mortgage, construction repairs or operations of assets or entities owned by an individual or group of individuals
Unlawful Activities	<ul style="list-style-type: none"> • Any activities that contravene any applicable federal or provincial statutes, ordinances or regulations
Financial Payments to Community Leadership	<ul style="list-style-type: none"> • Remuneration, including salary, per diems or honorariums, of any kind payable to Council. • Any equity investment, loan or loan guarantee or any other form of financial support for a commercial entity or business in which the First Nation has a direct or indirect interest.
Unearned Payments to Individuals	<ul style="list-style-type: none"> • Direct or indirect payments to individual Members of Birch Narrows Dene Nation including but not limited to per capita distribution payments, equity financing or loan guarantees for member-owned businesses or privately-owned housing but excluding assistance for which all Members or a class of Members are eligible to apply such as education costs such as grants, bursaries, scholarships, awards or prizes.